IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

MONDAY, THE 28TH MAY 2007 / 7TH JYAISHTA 1929

Bail Appl..No. 3051 of 2007()

CRMP.1163/2007 of DISTRICT COURT, ALAPPUZHA
CRIME NO.6/2007 OF ALAPPUZHA EXCISE RANGE

PETITIONER/ACCUSED:

SUDHEVAN @ SUNIL KUMAR,
S/O.SUDHAKARAN, KOLLAPPALLY KIZHAKKETHIL,
PURAKKAD VILLAGE, AMBALAPPUZHA TALUK.

BY ADV. SRI.K.A.SALIL NARAYANAN

RESPONDENTS: COMPLAINANT:

STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 28/05/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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Bail Application No.3051 of 2007

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DATED: 28-05-2007

O R D E R

In this Petition filed under Sec. 438 Cr.P.C. the petitioner who is the accused in Crime No.6/2007 of Alappuzha Excise Range for offences punishable under sections 8(1) and 8(2) of the Abkari Act for allegedly having been found in possession of 4 litres of illicit arrack seeks anticipatory Bail.

2. The learned Public Prosecutor opposed the application.

3. Anticipatory bail cannot be granted in a case involving such grave offence. It is too early to accept the petitioner's contention that the petitioner has been falsely implicated. There is no reason why the petitioner should not surrender before the Magistrate concerned and seek regular bail. Accordingly if the petitioner surrenders before the Magistrate concerned within two weeks from today and files an application for regular bail, the same shall be considered and disposed of preferably on the same day on which it is filed, bearing in mind the decision in **Sukumari v. State of Kerala (2001 (1) KLT 22).**

With the above observation this Application is disposed of.

V.RAMKUMAR,JUDGE.

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